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Commissioner for Patents
PO Box 1450
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Mail Stop Amendment

Re: U.S. Utility Patent Application
Appl. No. 10/806,361; Filed: March 23, 2004
For: **Nanowire Varactor Diode and Methods of Making Same**
Inventors: STUMBO *et al.*
Our Ref: 2132.0190000

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. Reply to Restriction Requirement; and

2. One (1) return postcard.

It is respectfully requested that the two attached be stamped with the filing date of these documents and returned to our courier. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

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DJF/MDS/mlb
Enclosures

OIPE IAP13 JAN 03 2006 PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Confirmation No.: 2224
STUMBO *et al.*	Art Unit: 2811
Appl. No.: 10/806,361	Examiner: Jackson Jr., Jerome
Filed: March 23, 2004	Atty. Docket: 2132.0190000
For: **Nanowire Varactor Diode and Methods of Making Same**	

Reply to Restriction Requirement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action, dated December 5, 2005, requesting an election of one invention to prosecute in the above-referenced patent application, Applicants hereby provisionally elect to prosecute the invention of Group I, represented by claims 1-12. This election is made without prejudice to or disclaimer of the other claims or inventions disclosed.

This election is made with traverse. Reconsideration and withdrawal of the Restriction Requirement, and consideration and allowance of all pending claims, are respectfully requested. Separate prosecution of Invention Groups I and II, as characterized by the Examiner, would be burdensome and create unnecessary expense. Furthermore, the prior art to be searched by the Examiner is likely to be substantially the same for Invention Groups I and II, given that both groups are related to nanowire varactor diodes. Furthermore, separate prosecution of both Invention Groups is likely to greatly and unnecessarily extend the time needed to prosecute the application.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

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Date: 1/3/06

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